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Compromise sought for

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Baucus trying to strike deal for payments to those

WASHINGTON – Libby residents would be compensated under a bill that the leader of the Senate has vowed to bring up after the legislative body returns from its weeklong Easter break.

But the city's residents who have asbestos-related diseases caused by a

vermiculite mine run by the now-bankrupt W.R. Grace and Co. should not expect those checks just yet.

The measure is facing stiff opposition from both Democrats and Republicans. Some Democrats say it would not provide enough money for asbestos victims, while some

Republicans say it's too expensive.

Sen. Max Baucus, D-Mont., is vowing to do what he can to bring a coalition together.

"I have high hopes," he said. "It is our responsibility to go the extra mile to pass asbestos legislation. Without it, there is so much uncertainty."

Libby victims

sickened by asbestos

Baucus tried to view the criticisms of the legislation in the best possible light.

"I am hoping some of those statements are bargaining positions," Baucus said.

The Senate Judiciary Committee approved a bill, S 1125, last July that

would have created a \$153 billion fund. Companies that manufactured or used asbestos and their insurers would have been required to contribute to the fund.

The companies would be shielded from civil liability in exchange for the payments. The bill also would establish a special court to handle claims by

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people exposed to asbestos.

People would receive payments only if they met specific medical criteria.

Libby residents and former W.R. Grace workers would be exempted from medical criteria requirements. Their claims would go to a special medical advisory committee.

Business officials initially supported the bill because they say a flood of asbestos lawsuits is hindering the economy and is responsible for more than 60 bankruptcies since 2000.

Critics of the lawsuits say many of the people who have filed them have not been made ill by their exposure to asbestos.

The bill has been stymied by opposition from lawmakers and business groups who say it is too generous, and labor union officials and trial lawyers who say it does not provide enough money.

Last fall in response to concerns voiced by insurance companies and asbestos producers and users, Senate Majority Leader Bill Frist, R-Tenn., reduced the cost of the bill to \$114 billion.

Labor unions and lawyers objected, noting that independent assessments have estimated the cost of asbestos lawsuits at \$275 billion.

In response to the concerns, Frist has offered a bill, S 2290, that would create a \$123 billion fund – and that is what will be debated when the Senate returns to work.

Minority leader Tom Daschle, D-S.D., and the top Democrat on the Senate Judiciary Committee, Sen. Patrick Leahy, Vt., railed against the measure on Thursday.

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- Sen. Tom Daschle, D-S.D.

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Fiscally conservative Republicans are not openly attacking the bill, but it is unlikely they will support it.

Sen. Don Nickles, R-Okla., said the bill would be more expensive than advertised because it would be politically impossible for lawmakers not to bail out the fund if it runs out of money before all claims are paid.

Problems with Frist's proposal were exacerbated on Thursday when Bush administration Labor Department officials voiced objections to a provision that would require the department to handle the asbestos claims.

They said the financial burden of managing the fund should not be placed on the nation's taxpayers.

Amid the crossfire, Sen. Conrad Burns, R-Mont., is weighing if he will support the bill.

"It's a 242-page bill, and we

just got it," Burns said. "I want a chance to review it over the break and talk with some folks in Libby to get their reaction to it. The special circumstances we see in Libby appear to be addressed in the bill, and if it's going to be beneficial for them, I'll support it. But I want to check it out before I give that support."

Baucus is supporting the measure but also working to tweak the Libby provision. He spoke about the provision with Senate Judiciary Committee Chairman Orrin Hatch, R-Utah, on Thursday.

"He would like some changes," said Hatch, declining to say what changes Baucus is seeking.

Baucus' answer was also short on details when asked what changes he is seeking.

"Essentially make it as bulletproof as possible for the people of Libby," Baucus said. "I want to make sure the people of Libby know they will be helped. There is still some uncertainty in the bill."

"It's not fair," Leahy said. "All assessments show that it is not enough. I believe that forcing this new asbestos bill through the Senate in its present form would prove counterproductive, even fatal to the legislative effort."

Daschle backed up Leahy and vowed to muster Democratic opposition to the measure.

"I stand ready and willing to work with my colleagues," Daschle said. "But we will not support and we will do all that we can to avoid passing legislation that is not fair, that does not address the problem